Çase 06-10725-gwz Doc 1868 Entered 11/28/06 09:40:14 Page 1 of 27

ELECTRONICALLY FILED NOVEMBER 28, 2006

| 1 2 3 4 5 6 7 8 | JEFFREY H. DAVIDSON (CA State Bar No. 73980) FRANK A. MEROLA (CA State Bar No. 136934) EVE H. KARASIK (CA State Bar No. 155356), Members of 1901 Avenue of the Stars, 12 th Floor Los Angeles, California 90067 Telephone: (310) 228-5600 Facsimile: (310) 228-5788 | JAMES PATE Nevada State CANDACE C Nevada State SHLOMO S. S Nevada State 233 South Fou Las Vegas, Ne Telephone: (70 Email: | Bar No. 000405) CARLYON Bar No. 002666) SHERMAN Bar No. 009688) arth Street, Second Floor evada 89101 02) 471-7432 |
|--------------------------------------|--|--|--|
| 9 | of USA Capital First Trust Deed Fund, LLC | , | |
| 10 | UNITED STATES BANK | | OURT |
| 11 | In re: | (EVADA | BK-S-06-10725-LBR |
| 12 | USA COMMERCIAL MORTGAGE COMPANY, Debtor. |)) | Chapter 11 |
| 13 | In re: USA CAPITAL REALTY ADVISORS, LLC, | | BK-S-06-10726-LBR Chapter 11 |
| 14 | Debtor. | | Chapter 11 |
| 15 16 | In re: USA CAPITAL DIVERSIFIED TRUST DEED FUN Debtor. | ID, LLC,) | BK-S-06-10727-LBR Chapter 11 |
| 17 18 | In re: USA CAPITAL FIRST TRUST DEED FUND, LLC Debtor. | ,) ,) | BK-S-06-10728-LBR Chapter 11 |
| 19 | In re: USA SECURITIES, LLC, | | BK-S-06-10729-LBR Chapter 11 |
| 20 | Debtor. Affects |) | |
| 21 | |) | Date: November 28, 2006 |
| 22 | USA Commercial Mortgage Co. USA Securities, LLC |) | Time: 1:30 p.m. |
| 23 | USA Capital Realty Advisors, LLC |) | |
| 24 | USA Capital Diversified Trust Deed USA First Trust Deed Fund, LLC |) | |
| 25 | , - |) | |
| 26 | CERTIFICATE OF SERVICE OF JOINT MOTION | OF THE OF | FICIAL COMMITTEES TO |
| 27 | APPROVE DISTRIBUTION OF SUPPLEMENTAL FOR SOLICITATION INFORMATION TO BE FI | | |
| 28 | REQUESTING ORDER SHO | | |
| 1 | 1 | | |

391439v2

| 1 | 1. | I HEREBY CERTIFY that true and correct copies of the following documents | | | | |
|----------|--|---|---|--|--|--|
| 2 | were served as indicated below. | | | | | |
| 3 | Joint Motion Of The Official Committees To Approve Distribution Of | | | | | |
| 4 5 | Supplemental Solicitation Information And For Solicitation Information To Be Filed Under Seal And Documents Requesting Order Shortening Time ("Joint Motion") | | | | | |
| 6 | Application For Order Shortening Time On Joint Motion Of The Official | | | | | |
| 7 | Committees To Approve Distribution Of Supplemental Solicitation Information And For Solicitation Information To Be Filed Under Seal | | | | | |
| 8 | Declaration Of Candace C. Carlyon, Esq. In Support Of Application For Order | | | | | |
| 9 10 | | Shortening T Distribution | Cime On Joint Motion Of Of Supplemental Solicite | The Official Committees To Approve tion Information And For Solicitation | | |
| 11 | Information To Be Filed Under Seal | | | | | |
| 12 | Attorney Information Sheet Re Motion For Application For Order Shortening Time On Joint Motion Of The Official Committees To Approve Distribution Of Supplemental Solicitation Information And For Solicitation Information To Be Filed Under Seal | | | | | |
| 13 | | | | | | |
| 14 | | Proposed Ex Parte Order Shortening Time On Joint Motion Of The Official | | | | |
| 15 16 | | Committees To Approve Distribution Of Supplemental Solicitation Information And For Solicitation Information To Be Filed Under Seal And Notice Of Hearing | | | | |
| | 2. | The documents were served by the following means to the persons as listed | | | | |
| 17 | below: | The second of the percent at Motor | | | | |
| 18 | delow: | _ | | | | |
| 19 | | ⊠ a. | | t day of November, 2006, the order shortening time on the joint | | |
| 20 | | | motion were served via th | | | |
| 21 | | | On the 22 nd day of Noven | nber, 2006, the Joint Motion was | | |
| 22 | | | served via the ECF system | | | |
| 23 | | | See attached Notices of E | lectronic Filing | | |
| 24 | | | United States Express Mail, postage full prepaid, overnight | | | |
| 25 | delivery. On the 22 nd day | | | y of November, 2006, true and correct | | |
| 26 | | | shortening time were sent | and the documents requesting an order to the following | | |
| 27 | | Robert Hardy | | Robert H. Mansfield | | |
| 28 | 6510 Ansonia (Las Vegas, NV | | | 3611 Victory Avenue Las Vegas, NV 89121 | | |
| | | , | 55110 | 200 FOBUD, 11 F 07121 | | |

1 Richard G. Woudstra P.O. Box 530025 2 Henderson, NV 89053 3 Personal service. 4 I personally delivered the documents to the persons at these addresses: 5 For a party represented by an attorney, delivery was made by 6 handing the document(s) at the attorney's office with a clerk or other person in charge, or if no one is in charge, by leaving the 7 document(s) in a conspicuous place in the office. 8 For a party, delivery was made by handing the document(s) to the 9 party or by leaving the document(s) at the person's dwelling house or usual place of abode with someone of suitable age and 10 discretion residing there. 11 By direct email. On the 22nd day of November, 2006, via \boxtimes d. electronic transmission. See attached email list 12 13 Based upon the written agreement of the parties to accept service by email or a court order, I caused the document(s) to be sent to 14 the persons at the email addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic 15 message or other indication that the transmission was unsuccessful. 16 By fax transmission. 17 Based upon the written agreement of the parties to accept serve by 18 fax transmission or a court order, I faxed the document(s) to the 19 persons at the fax numbers listed below. No error was reported by the fax machine that I used. A copy of the record of the fax 20 transmission is attached. 21 f. By messenger. 22 I served the document(s) by placing them in an envelope or 23 package addressed to the persons at the addresses listed below and providing them to a messenger for service. 24 I declare under penalty of perjury that the foregoing is true and correct. 25 26 DATED this 28th day of November, 2006. 27 Lissa Treadway, ACP, an employee 28 of SHEA & CARLYON, LTD.

Doc 1868 Entered 11/28/06 09:40:14 Page 3 of 27

Case 06-10725-gwz

Case 06-10725-gwz Doc 1868 Entered 11/28/06 09:40:14 Page 5 of 27

LIVE ECF Page 1 of 11

File a Motion:

06-10725-lbr USA COMMERCIAL MORTGAGE COMPANY

Type: bk

Chapter: 11 v

Office: 2 (Las Vegas)

Judge: lbr

Assets: y

Case Flag: EXHS, BAPCPA, LEAD, JNTADMN, APPEAL, AddAty

U.S. Bankruptcy Court

District of Nevada

Notice of Electronic Filing

The following transaction was received from CARLYON, CANDACE C entered on 11/21/2006 at 4:53 PM PST and filed on 11/21/2006

Case Name:

USA COMMERCIAL MORTGAGE COMPANY

Case Number:

06-10725-lbr

Document Number: 1840

Docket Text:

Motion for Order Shortening Time on Joint Motion to Approve Distribution of Supplemental Solicitation Information and for Solicitation Information to be Filed Under Seal Filed by CANDACE C CARLYON on behalf of OFFICIAL COMMITEEE OF EQUITY SECURITY HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND, LLC (CARLYON, CANDACE)

The following document(s) are associated with this transaction:

Document description: Main Document

Original filename: Z:\USA Investors Committee #1500\Electronic Filing\app for ost re supp solicitation 11-21-06.pdf

Electronic document Stamp:

[STAMP bkecfStamp_ID=989277954 [Date=11/21/2006] [FileNumber=7510474-0] [328bd461941c42d45cace051a6cbf953788273b6052c2414e98c2aa7904a0106452 9fc82866e48ea0bed69741eedec26a97db75a1be420bb3593ac5be0e803d5]]

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Miscellaneous:

06-10725-lbr USA COMMERCIAL MORTGAGE COMPANY

U.S. Bankruptcy Court

District of Nevada

Notice of Electronic Filing

The following transaction was received from CARLYON, CANDACE C entered on 11/21/2006 at 4:58

PM PST and filed on 11/21/2006

Case Name:

USA COMMERCIAL MORTGAGE COMPANY

Case Number:

06-10725-lbr

Document Number: 1841

Docket Text:

Affidavit Filed by CANDACE C CARLYON on behalf of OFFICIAL COMMITEEE OF EQUITY SECURITY HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND, LLC (Related document(s) [1840] Motion for Order Shortening Time, filed by Creditor Committee OFFICIAL COMMITEEE OF EQUITY SECURITY HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND, LLC) (CARLYON, CANDACE)

The following document(s) are associated with this transaction:

Document description: Main Document

Original filename: Z:\USA Investors Committee #1500\Electronic Filing\aff of ccc re supp solicitation 11-21-06.pdf

Electronic document Stamp:

[STAMP bkecfStamp_ID=989277954 [Date=11/21/2006] [FileNumber=7510481-0] [555863228af79b31d4b511a4f13f70f0f1e23a9aecfe472ac1885f30302424578da ceb8715cbd705eaac96e00aabda4b88751fdda5c5071406e0e1132061711f]]

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Miscellaneous:

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USA COMMERCIAL MORTGAGE COMPANY

Case Number:

06-10725-lbr

Document Number: 1842

Docket Text:

Attorney Information Sheet Filed by CANDACE C CARLYON on behalf of OFFICIAL COMMITEEE OF EQUITY SECURITY HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND, LLC (Related document(s)[1840] Motion for Order Shortening Time, filed by Creditor Committee OFFICIAL COMMITEEE OF EQUITY SECURITY HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND, LLC) (CARLYON, CANDACE)

The following document(s) are associated with this transaction:

Document description: Main Document

Original filename: Z:\USA Investors Committee #1500\Electronic Filing\atty info sheet re supp solicitation 11-21-06.pdf

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[STAMP bkecfStamp_ID=989277954 [Date=11/21/2006] [FileNumber=7510484-0] [646ebefeb849f79a9d145eb0e11e5c88573287d02ec5af42b796a75594dd30ffc72 80f2b8e6f5c0d6f9d87dd4126e0ee37a0ea68519318755d47bcab6584d0cc]]

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Case 06-10725-gwz Doc 1868 Entered 11/28/06 09:40:14 Page 18 of 27

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Document Number: 1850

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Joint Motion for Approval of Procedures of the Four Official Committees to Approve Supplemental Disclosure Pur. to 11 USC Section 1125 Filed by GREGORY E GARMAN on behalf of OFFICIAL COMMITTEE OF HOLDERS EXECUTORY CONTRACT RIGHTS THRU USA COMMERCIAL MTG CO (GARMAN, GREGORY)

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